

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 6, 2000

C035710 THE PEOPLE v. BENSON (Not for Publication)
The judgment is affirmed.
 DAVIS, Acting P.J.
We concur: Nicholson, J.
 Morrison, J.

November 7, 2000

C034234 THE PEOPLE v. STONE, II (Not for Publication)
The judgment is affirmed.
 SIMS, Acting P.J.
We concur: Nicholson, J.
 Morrison, J.

C029654 THE PEOPLE v. SWYGERT (Not for Publication)
The two years imposed for the section 12022.1, subdivision (b) enhancement is stricken and the matter remanded to the superior court for further proceedings thereon. In all other respects, the judgment is affirmed.
 BLEASE, J.
We concur: Scotland, P.J.
 Callahan, J.

**C034929 In re ADAM N.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. JAMES N. (Certified for Publication)**
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Raye, J.
 Kolkey, J.

C032265 THE PEOPLE v. JURADO, JR. (Not for Publication)
C034094 The judgment is modified by striking the \$50 criminal laboratory analysis fee (Health & Saf. Code, § 11372.5). As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections.
 KOLKEY, J.
We concur: Sims, Acting P.J.
 Nicholson, J.

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November 7, 2000 Continued

C034312 CITY OF SACRAMENTO v. WORKERS' COMPENSATION APPEALS BOARD and HIGGINBOTHAM (Not for Publication)

The order of the Board on reconsideration is annulled and the matter remanded for further proceedings consistent with the views expressed in this opinion. The City shall receive its costs of this proceeding.

HULL, J.

We concur: Blease, Acting P.J.

Sims, J.

November 8, 2000

C029599 **BARD et al. v. SWEENEY et al.** **(Not for Publication)**

The judgment notwithstanding the verdict and the order granting new trial are reversed. The award of costs is also reversed. The judgment as to the cross-complaint is modified to substitute cross-complainant AWSMJAK, Inc., in place of Sweeney, and, as modified, is affirmed. The Bards shall recover their costs on appeal.

NICHOLSON, J.

We concur: Scotland, P.J.

Raye, J.

C035627 **In re CHARLES T.; SACRAMENTO COUNTY DEPARTMENT OF
HEALTH AND HUMAN SERVICES v. ELIZABETH C.**
(Not for Publication)

The order of the juvenile court is affirmed.

SCOTLAND, P.J.

We concur: Raye, J.
 Kolkey, J.

C026077 THE PEOPLE v. SHENKEL (Not for Publication)
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Raye, J.
 Hull, J.

C034997 SHAFFER v. COUNTY OF SACRAMENTO et al.
(Not for Publication)
 The judgment is affirmed.
 BLEASE, J.
 We concur: Scotland, P.J.
 Callahan, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 9, 2000

- C032328 THE PEOPLE v. MORGAN (Certified for Partial Publication)**
The judgment is modified to impose a \$300 restitution fine, suspended unless parole is revoked, as required by Penal Code section 1202.45. As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment accordingly, and to forward a copy of the amended abstract to the Department of Corrections.
SCOTLAND, P.J.
We concur: Nicholson, J.
 Callahan, J.
- C035289 THE PEOPLE v. HENRY (Not for Publication)**
The judgment is affirmed.
CALLAHAN, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.
- C033449 THE PEOPLE v. LABARBERA (Not for Publication)**
The judgment is affirmed.
CALLAHAN, J.
We concur: Blease, Acting P.J.
 Davis, J.
- C030543 HENDREN v. BROWN (Not for Publication)**
The judgment is affirmed. Defendant shall pay respondent plaintiff the sum of \$3,000, as sanctions for a frivolous appeal, within 15 days after the filing of the remittitur. Further, defendant shall pay to the clerk of this court the sum of \$2,500, as further sanctions for a frivolous appeal, within 15 days of the filing of the remittitur. Defendant shall pay plaintiff's costs on appeal. (Cal. Rules of Court, rule 26(a).)
HULL, J.
We concur: Davis, Acting P.J.
 Nicholson, J.
- C035176 THE PEOPLE v. GAMEZ (Not for Publication)**
The judgment is affirmed.
DAVIS, Acting P.J.
We concur: Nicholson, J.
 Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 9, 2000 Continued

- C033494 TEVIS v. PONTIAC (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Scotland, P.J.
 Davis, J.
- C034442 In re THOMAS P. et al.; SAN JOAQUIN HUMAN SERVICES AGENCY
v. RANDY P. (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Blease, Acting P.J.
 Sims, J.
- C035667 THE PEOPLE v. GAINOUS (Not for Publication)**
The judgment is affirmed.
 DAVIS, Acting P.J.
We concur: Nicholson, J.
 Morrison, J.

November 10, 2000

There were no minutes for this date.